

## **Points to be considered before filing for compensation**

- According to the Kuwaiti Laws, the legal heirs of the deceased are required to file a case for death compensation **within one year (except road accident cases)** from the date of death through their attorney in Kuwait. After expiry of one year, the case may become time barred.
- According to the Kuwaiti Laws, in case of **death due to road accident**, the legal heirs of the deceased are required to file a case for death compensation **within three years** from the date of death through their attorney in Kuwait.

## **For all death compensation claims/outstanding dues,**

### **List of documents required:**

1. **Legal Heirship Certificate giving full names of the legal heirs, including surname and father's/husband's name, age and relationship of the legal heirs to the deceased.**  
(Format ---Hyperlink)
2. **Power of Attorney from all legal heirs to any person of their choice, who is residing in Kuwait as their attorney.**

**The General Power of Attorney and Legal Heirship Certificate should be attested by all the following authorities**

- (a) **District Magistrate or First Class Magistrate**
- (b) **Authorized officer of the State Government (Home Department),**
- (c) **Ministry of External Affairs, Consular Section, New Delhi or Branch Secretariat of Ministry of External Affairs (outside Delhi)**

**Note : If the legal heirs are minor, the name of the legal guardian should be mentioned in the Legal Heirship Certificate and Power of Attorney**

## PROCEDURE FOR DEATH COMPENSATION CLAIMS

### CLAIMS ADDRESSED TO THE EMPLOYER

| Type of Claim  | With whom should the claim be filed? | Process for approving claim  | Nodal authority for each step (Contact details of concerned official / department with postal address/ telephone /fax /email  |
|--|--------------------------------------|--|---|
| <b>a) Natural Death / Outstanding salary of deceased Indian national</b> | <b>Employer</b>                      | In case employer does not pay the dues, a case for non-payment of dues is required to be filed with the <b>Ministry of Social Affairs and Labour</b> , Govt. of the State of Kuwait, within <b>one year of death</b> . | <b>1. Ministry of Social Affairs</b> , Kuwait,<br>Street 252, Mubarak Al Kabir, Kuwait. Telephone No. 00965-22480000, Fax No. 00965-22419877,<br>Website: <a href="http://www.mosal.gov.in">www.mosal.gov.in</a><br><br><b>2. Community Welfare Officer, Embassy of India</b> , Kuwait,<br>P.O. Box 1450, Safat - 13015, Kuwait. Fax No. 00965-22573910<br>Email:<br><a href="mailto:cw2.kuwait@mea.gov.in">cw2.kuwait@mea.gov.in</a><br><a href="mailto:ca.kuwait@mea.gov.in">ca.kuwait@mea.gov.in</a> |

**CLAIMS ADDRESSED TO THE EMPLOYER**

| <b>Type of Claim</b>                              | <b>With whom should the claim be filed?</b>   | <b>Process for approving claim</b>  | <b>Nodal authority for each step (Contact details of concerned official / department with postal address/ telephone /fax /email</b>   |
|---|---|---|---|
| <p><b>b) Death due to work site accident.</b></p> | <p>Ministry of Social Affairs and Labour, 252, Mubarak Al Kabir, Kuwait<br/>(Tel: 00965-2248000, Fax No. 00965-22419877</p> <p>and</p> <p>Ministry of Justice, Govt of the State of Kuwait, Murqab, Kuwait City, Kuwait, P.O. Box 6, Al-Safat - 13001, Kuwait.<br/>Telephone No. (00965)-2286261, 00965 (22486204, Fax No. 00965-2442257, E-mail: info@moj.gov.in</p> | <p>The case should be filed with Ministry of Social Affairs and Labour and also followed in the Criminal Court <b>within one year of death.</b> After final judgment in the case issued by the court, a civil case is required to be filed either in the Ministry of Social Affairs and Labour or the First Instance Court (Civil). Thereafter the case may be forwarded to the Appeal Court and Higher Appeal Court.</p> | <p>Authorized attorney of the legal heirs</p> <p>and</p> <p>Community Affairs Officer, Embassy of India, Kuwait, P.O. Box 1450, Safat - 13015, Kuwait. Fax No. 00965-22573910/ Email: cw2.kuwait@mea.gov.in</p> |

**CLAIMS ADDRESSED TO THE EMPLOYER**

| <b>Type of Claim</b>                       | <b>With whom should the claim be filed?</b>   | <b>Process for approving claim</b>  | <b>Nodal authority for each step (Contact details of concerned official / department with postal address/ telephone /fax /email</b>  |
|--|---|---|--|
| <b>c) Any other circumstances of death</b> | Ministry of Justice,<br>Govt of the State of Kuwait, Murqab,<br>Kuwait City, Kuwait,<br>P.O. Box 6, Al-Safat - 13001, Kuwait.<br>Telephone No. (00965)-2286261, 00965 (22486204, Fax No. 00965-2442257, E-mail: info@moj.gov.in | First the case will be followed in the Criminal Court. After final judgment in the case issued by the criminal court, a civil case is required to be filed with the First Instance Court. Thereafter the case may be forwarded to the Appeal Court and if necessary further forwarded to Higher Appeal Court. | Authorized attorney of the legal heirs<br>and<br>Community Affairs Officer, Embassy of India, Kuwait, P.O. Box 1450, Safat - 13015, Kuwait. Fax No. 00965-22573910/<br>Email: <a href="mailto:cw2.kuwait@mea.gov.in">cw2.kuwait@mea.gov.in</a> |

## CLAIMS ADDRESSED TO THE INSURANCE COMPANY

| Type of Claim   | With whom should the claim be filed? | Process for approving claim                      | Nodal authority for each step (Contact details of concerned official / department with postal address/ telephone /fax /email  |
|---|--------------------------------------|--|---|
| <b>a) Death due to unnatural causes.</b>                  | Concerned Insurance Company          | To be decided by the concerned insurance company | Community Affairs Officer,<br>Embassy of India, Kuwait,<br>P.O. Box 1450, Safat -<br>13015, Kuwait. Fax No.<br>00965-22573910/ Email:<br><a href="mailto:cw2.kuwait@mea.gov.in">cw2.kuwait@mea.gov.in</a> |
| <b>b) Death due to Sickness</b>                           | Concerned Insurance Company          | Follow up with the employer of the deceased      | Community Affairs Officer,<br>Embassy of India, Kuwait,<br>P.O. Box 1450, Safat -<br>13015, Kuwait. Fax No.<br>00965-22573910/ Email:<br><a href="mailto:cw2.kuwait@mea.gov.in">cw2.kuwait@mea.gov.in</a> |
| <b>c) Death due to injury (not related to work place)</b> | Concerned Insurance Company          |  | Community Affairs Officer,<br>Embassy of India, Kuwait,<br>P.O. Box 1450, Safat -<br>13015, Kuwait. Fax No.<br>00965-22573910/ Email:<br><a href="mailto:cw2.kuwait@mea.gov.in">cw2.kuwait@mea.gov.in</a> |

**TRANSFER OF BALANCE REMAINING IN BANK ACCOUNT OF DECEASED TO HIS NOMINEE / FAMILY IN INDIA**

| <b>Type of Claim</b>  | <b>With whom should the claim be filed?</b> | <b>Process for approving claim</b>      | <b>Nodal authority for each step (Contact details of concerned official / department with postal address/ telephone /fax /email</b>   |
|---|---|---|---|
| a) In case <b>nominee</b> has been <b>specified</b> or <b>not specified</b> to the bank by the deceased | Concerned bank                              | As per the policy of the concerned bank | Community Affairs Officer,<br>Embassy of India, Kuwait,<br>P.O. Box 1450, Safat -<br>13015, Kuwait. Fax No.<br>00965-22573910/ Email:<br><a href="mailto:cw2.kuwait@mea.gov.in">cw2.kuwait@mea.gov.in</a> |

**RETURNING THE MATERIAL OR BELONGINGS TO THE FAMILY OF THE DECEASED INDIAN NATIONAL**

| <b>Type of Claim</b>  | <b>With whom should the claim be filed?</b> | <b>Process for approving claim</b>  | <b>Nodal authority for each step (Contact details of concerned official / department with postal address/ telephone /fax /email</b> |
|---|---|---|---|
| <b>RETURNING THE MATERIAL OR BELONGINGS TO THE FAMILY OF THE DECEASED INDIAN NATIONAL</b> | Employer                                    | An affidavit to be sent authorizing an individual residing in Kuwait to receive belongings. | nil   |